

REMARKS

Applicants' representative would like to thank Examiner Tanner for the courtesies extended during a telephonic interview on May 5, 2005. During the interview, the Examiner clarified the rejection based on 35 U.S.C. § 112 as it pertains to independent Claims 61, 65, 74, and 89. The Examiner noted that independent Claims 61, 65, 74, and 89 would be allowable if amended to call for an expansion valve that "controls" refrigerant superheat through an evaporator rather than an expansion valve that "expands" refrigerant superheat through an evaporator. Applicants have amended independent Claims 61, 65, 74, and 89 in accordance with the Examiner's suggestion in order to clarify the meaning of the claim, as opposed to narrowing the scope of the claim. Applicants have cancelled each of the remaining rejected claims. Applicants respectfully submit that independent Claims 61, 65, 74, and 89, as well as Claims 62-64, 66-68, and 75-81, respectively dependent therefrom, are in condition for allowance.

Claims 61-89 are now pending in the application. By this Paper, Claims 61, 65, 74, and 89 have been amended and Claims 69-73 and 82-88 have been cancelled without prejudice or disclaimer of the subject matter contained therein. The basis for these amendments can be found throughout the specification, claims, and drawings originally filed. No new matter has been added. The preceding amendments and the following remarks are believed to be fully responsive to the outstanding Office Action and are believed to place the application in condition for allowance.

The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 61-89 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention.

This rejection is respectfully traversed.

Applicants respectfully submit that this rejection is moot with respect to Claims 69-73 and 82-88 as Claims 69-73 and 82-88 have been cancelled without prejudice. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Applicants respectfully submit that independent Claims 61, 65, 74, and 89, as well as Claims 62-64, 66-68, and 75-81, respectively dependent therefrom, are in condition for allowance in light of the foregoing remarks. Accordingly, reconsideration and withdrawal is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 5-6-05

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